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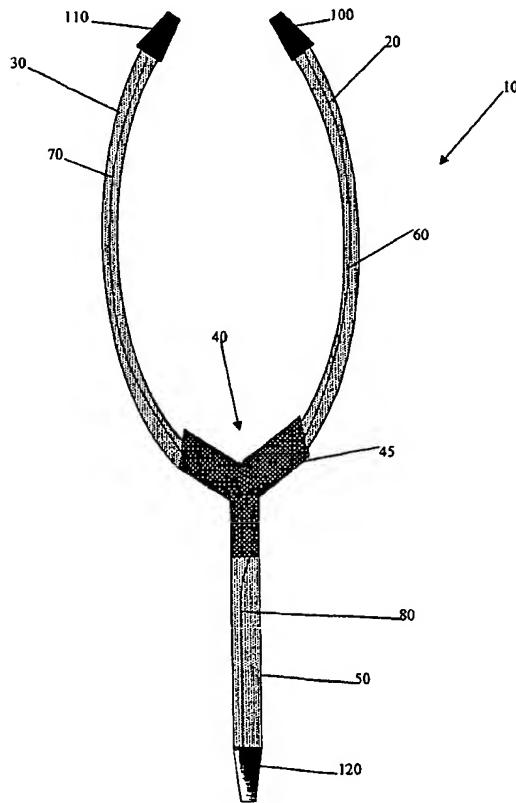
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[Continued on next page]

(54) Title: MALE URETHRAL PROSTHESIS WITH TENSIONING MEMBER



(57) Abstract: The present invention provides a urethral prosthesis including a first and a second arm that join to form a junction, and a stem that is also joined to the junction. The junction is adapted to exert sufficient pressure on a portion of a patient's urethra to prevent unintentional voiding of the patient's bladder. However, upon exerting a tension force on the stem, the pressure exerted by the junction is reduced such that the patient's bladder may be intentionally voided.

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MALE URETHRAL PROSTHESIS WITH TENSIONING MEMBER

BACKGROUND OF THE INVENTION

5 Urinary incontinence is a condition characterized by involuntary loss of urine beyond the individual's control. One cause for this loss of control is damage to the urethral sphincter caused by, for example, prostatectomy, radiation therapy or pelvic accidents. Other causes of incontinence include bladder instability, over-flowing incontinence and fistulas.

10 Currently, there are a few known surgical treatments for male incontinence, including the implantation of an Artificial Urinary Sphincter (e.g. AMS Sphincter 800 available from American Medical Systems, Minnetonka, MN), the implantation of a bone-screw fixated male sling (e.g. AMS InVance, available from American Medical Systems), and a few other procedures. Other procedures that have been largely
15 discontinued include the implantation of a Kaufman III Prosthesis beneath the urethra. All of these prostheses exert a pressure on the urethra to prevent unintentional voiding of the bladder.

20 A drawback to these aforementioned techniques relates to tensioning. After implantation of the InVance male sling, for example, any adjustments to the pressure exerted on the urethra by the prosthesis must be performed during a separate procedure. To adjust the Artificial Urinary Sphincter, additional instrumentation may also be required. These additional procedures may subject the patient to increased risk

of infection and may also make the procedure more costly. An additional drawback is that these devices have little tolerance for improvement or deterioration in the patient's incontinence condition. Thus, minor changes in the patient's condition may require another surgical procedure.

5

SUMMARY OF THE INVENTION

In one embodiment, the present invention provides a urethral prosthesis including a first arm, a second arm and a stem. The first and second arms meet or join to define a junction that is adapted to exert sufficient pressure on a portion of a patient's urethra to prevent unintentional voiding of a patient's bladder. The stem is joined to the junction such that a tension force may be exerted on the stem to reduce the pressure exerted on the portion of the patient's urethra by the junction such that the patient's bladder may be voided. The urethral prosthesis may further include a tensioning member associated with the first arm, second arm and/or stem, which may be adapted to facilitate manipulation of the urethral prosthesis during implantation in a patient.

In another embodiment, the present invention provides a method of treating urinary incontinence, in which a prosthesis as described herein is implanted into a patient. The first and second arms may be internally oriented in a variety of manners. For example, the first and second arms may be oriented or positioned anterior, posterior or transobturator relative to the patient's pubic symphysis. The junction contacts a portion of the urethra and exerts a sufficient pressure to prevent

unintentional voiding of the patient's bladder. The stem may be positioned or implanted in the patient's scrotum to facilitate easy patient access. When manual tension is placed on the stem, the pressure exerted on the portion of the urethra by the junction decreases such that the patient's bladder may be intentionally voided. After 5 voiding, the tension may be released such that the junction once again exerts sufficient pressure on the portion of the urethra to prevent unintentional voiding of the patient's bladder. Advantageously, the urethral prosthesis of the present invention may be secured by tissue in-growth and/or tissue encapsulation of portions of the prosthesis.

10

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 schematically illustrates a perspective view of an embodiment of the present invention.

Figure 2 schematically illustrates a perspective view of an embodiment of the present invention.

15

Figure 3 schematically illustrates a perspective view of an embodiment of the present invention.

Figures 4a-b illustrate an implanted prosthesis according to an embodiment of the present invention.

20

Figures 5a-b illustrate an implanted prosthesis according to an embodiment of the present invention.

Figures 6a-b illustrate an implanted prosthesis according to an embodiment of the present invention.

Figures 7a-b illustrate an implanted prosthesis according to an embodiment of the present invention.

Figures 8a-b illustrate an implanted prosthesis according to an embodiment of the present invention.

5 Figures 9a-b illustrate an implanted prosthesis according to an embodiment of the present invention.

DETAILED DESCRIPTION

Figures 1-3 illustrate a urethral prosthesis 10 according to various 10 embodiments of the present invention. Urethral prosthesis 10 includes a first arm 20 and a second arm 30 that join to form a junction 40. A stem 50 is further joined to the junction 40.

A wide range of suitable materials or combinations of suitable materials may be used to form the first and second arms 20, 30. The first and second arms 20, 30 in 15 the illustrated embodiment may include one or more lengths of flexible, longitudinally extendable material. The material may be inelastic or elastic, longitudinally extendable or non-extendable, and may be patterned, for example in a mesh pattern, which may encourage tissue in-growth. Suitable materials for the first and second arms 20, 30 may include, but are not limited to materials such as polyester, 20 polypropylene, nylon, polyethylene terephthalate, polytetrafluoroethylene, expanded polytetrafluoroethylene, polyvinylidene fluoride, polyamide and silk, as well as derivatives, combinations and hybrids of these materials. Preferably, at least the end

portions of the first and second arms 20, 30 may be configured, for example as a mesh, to promote tissue in-growth. Alternatively, the first and second arms 20, 30 may be at least partially formed from a bioabsorbable material such as polylactic acid or polyglycolic acid. Suitable materials are also reported in U.S. Published Patent

5 Application No. 2002/0147382. Still further, the urethral prosthesis 10 may be coated with a suitable bioactive material having a desired physiological effect. For example, suitable bioactive materials may be selectively coated on desired areas or portions of the urethral prosthesis 10 to reduce inflammation, encourage tissue in-growth and/or to prevent infection in specific areas of a patient.

10 In one embodiment, the first and second arms 20, 30 include portions having a polymeric mesh coated with a silicone material or other suitable material, including but not limited to an elastomer, polypropylene, polyester, polyurethane, polyamide, or a derivative, combination or hybrid thereof. In an alternate embodiment, portions of the first and second arms 20, 30 may include an additional coating or tubing. For
15 example, in the embodiment illustrated in Figure 2, tubes 25, 35 encompass or surround portions of the first and second arms 20, 30. Tubes 25, 35 may be used, for example, when the first and second arms 20, 30 are formed from a longitudinally extensible mesh. The tubes 25, 35 may allow longitudinal extension of the mesh within the tube independent of the mesh outside of the tube. Suitable materials for the
20 tubes 25, 35 may include, but are not limited to polypropylene, nylon, polyester, polytetrafluoroethylene, polyvinyl chloride, polyamide, and derivatives, combinations and hybrids thereof.

The first and second arms 20, 30 may be formed from discrete lengths of materials, which are attached or joined at respective proximal ends by a variety of suitable methods to form the junction 40. Alternatively, the first and second arms 20, 30 may be formed from a single length of material such that the junction 40 is formed 5 approximately at a center point of the length of material that forms the first and second arms 20, 30.

The first and second arms 20, 30 may be sized and shaped for internal implantation and attachment in the vicinity of a patient's pubic symphysis, as reported in further detail below. In one embodiment, the arms 20, 30 may each have a length 10 between about 5 and about 30 cm, more particularly between about 15 and about 25 cm. The arms 20, 30 may have a width of between about 0.5 and about 5 cm, more particularly between about 0.5 cm and about 2.5 cm. Additionally, the width of the first and second arms 20, 30 may not be uniform.

The first and second arms 20, 30 join to form the junction 40. The junction 40 15 is adapted to exert sufficient pressure on a patient's urethra to prevent unintentional voiding. The junction 40 may include portions that are wider than the first and second arms 20, 30. For example, the junction 40 may have a portion between about 3 and about 5 cm long and between about 1 and about 2 cm wide that is adapted to exert a force against a patient's urethra when implanted. In one embodiment, the junction 20 includes a coating or overcoat 45 covering proximal portions of first and second arms 20, 30. In embodiments in which the first and second arms 20, 30 are formed from discrete lengths of material, the overcoat 45 may function to secure the first and

second arms 20, 30 together. The overcoat 45 of the junction may extend between about 1 and about 5 cm along the first and second arms 20, 30, more particularly between about 1 and about 3 cm. The overcoat 45 may have a thickness of between about 0.15 mm and about 3 mm, more particularly between about 0.5 mm and about 5 1.5 mm. Suitable overcoat materials include, but are not limited to, polymeric materials such as elastomers, silicones, polypropylenes, polyesters, polyurethanes, polyvinyl chlorides, polyamides and derivatives, combinations and hybrids thereof. The overcoat 45 may discourage tissue in-growth in the vicinity of the patient's urethra, while allowing tissue encapsulation. Tissue encapsulation may allow some 10 degree of movement of the junction 40.

In an alternate embodiment, the junction 40 may include a compression member (not shown) secured to the first and second arms. The compression member may include a rigid or flexible material that is adapted to exert pressure against a portion of a patient's urethra to prevent unintentional voiding of the patient's bladder. 15 For example, the compression member may include a resilient pillow or pouch positioned to exert a pressure against a portion of a patient's urethra.

Stem 50 is joined to the first and second arms 20, 30 at the junction 40. The stem 50 may be formed from the same types of materials as the first and second arms 20, 30. However, the stem 50 is generally formed from a material that has low 20 elasticity such that the stem 50 does not significantly stretch upon the exertion of a tension force.

The stem 50 may be formed from a discrete length of material, or may be formed from a single length of material including the first arm 20 and/or second arm 30 of the prosthesis 10. A portion of the stem 50 may also include the overcoat 45 formed at the junction 40. For example, the overcoat 45 may extend between about 5 0.25 and about 3 cm, more particularly between about 0.5 and about 1 cm along a proximal portion of the stem. In embodiments in which the first and/or second arms 20, 30 and the stem 50 include discrete lengths of material, the overcoat 45 may attach or join the discrete lengths of material together at the junction 40.

In an alternate embodiment illustrated in Fig. 3, a stem 55 may include a 10 filament 57 and a tab 59. The filament should be capable of withstanding the exertion of a tension force on the tab 59.

The urethral prosthesis 10 of the present invention may also include one or more tensioning members 60, 70, 80, which are associated with the urethral prosthesis. The one or more tensioning members 60, 70, 80 may be secured to one or both of the 15 first and second arms 20, 30 and may also be optionally secured to the stem 50. As described in greater detail below, the tensioning member generally functions to provide uniform movement of the urethral prosthesis 10, particularly the first and second arms 20, 30 during implantation in a patient such that suitable pressure is exerted on a patient's urethra by the junction 40.

20 In one embodiment, the tensioning member includes at least one filament. In the embodiment illustrated in Figs. 1 and 2, the tensioning member 60, 70, 80 includes a first filament 60 secured to the first arm 20, a second filament 70 secured to the

second arm 30 and a third filament 80 secured to the stem 50. More particularly, each filament may be independently secured to a distal end of the first arm 20, second arm 30 and/or the stem 50. Each filament may also be secured at a proximal end of the first arm 20, second arm 30, and/or stem 50, as well as the junction 40. In one embodiment, the first, second and third filaments 60, 70, 80 are secured to at least one of the other filaments 60, 70, 80 at the junction 40. In another embodiment, the first, second and third filaments 60, 70, 80 are secured to dilators 100, 110, 120.

One or more dilators 100, 110 and 120 may be secured to the distal ends of the first and second arms 20, 30 and/or the stem 50 to facilitate implantation in a patient. More particularly, the dilators 100, 110 and 120 may associate the urethral prosthesis 10 to a guide needle, which may be used to position and/or orient the urethral prosthesis 10, as reported in greater detail below.

The urethral prosthesis 10 may be implanted in a patient by a variety of suitable methods. In one embodiment, a small transverse scrotal incision and one or two small horizontal suprapubic incisions are made. A suitable guide needle, similar to the needles reported in U.S. Published Patent Application Nos. 2002/0147382, 2002/0099259 A1, 2002/0099258 A1 and/or 2001/0161382 may be inserted into the first suprapubic incision and passed either anterior or superior to the pubic symphysis and towards the scrotal incision. Once a first guide needle has been successfully guided and/or positioned, a second guide needle may be inserted through the optional second suprapubic incision and positioned and/or guided in a similar manner, in opposition to the first needle. The distal ends of the guide needles may then be

secured to the dilators 100 and 110, and the urethral prosthesis 10 may be pulled up through the suprapubic incisions. A third guide needle may be used to insert the stem 50 into the scrotal incision and to guide the stem 50 into the proper location and orientation within the scrotum. For example, the stem 50 may be positioned at the 5 posterior scrotal midline of the patient. During the implantation procedure, the first and second arms 20, 30 and/or the stem 50 may be covered with heat sealed plastic sheaths (not shown), which are removed prior to completing the procedure. In one embodiment, the sheath is heat sealed to first and second arms 20, 30 and stem 50, and the plastic sheath forms the connection to the connectors 100, 110 and 120.

10 The urethral prosthesis 10 may then be positioned in the vicinity of a patient's descending rami of the pubic bone such that the junction 40 contacts a portion of the patient's urethra. The pressure exerted on the urethra may be adjusted during implantation. For example, the pressure may be increased by pulling on the distal ends of the first and second arms 20, 30 until a sufficient force is exerted on the 15 urethra. Alternatively, the pressure may be reduced by exerting downward tension on the junction 40 or the stem 50. The tensioning members 60, 70, 80 may facilitate these tension adjustments to the urethral prosthesis by allowing the prosthesis to be manipulated in a uniform fashion, rather than by having certain portions of the prosthesis move while other portions remain immobile. The tensioning members may 20 be removed prior to completing the implantation procedure, or may remain secured to the urethral prosthesis substantially permanently. In one embodiment, the junction 40 exerts a pressure between about 50 and about 300 cm H₂O, more particularly, between

about 50 and about 140 cm H₂O, even more particularly, between about 50 and about 70 cm H₂O on the patient's urethra. Advantageously, the exerted pressure may be higher than in conventional prostheses because the pressure may be released by exerting tension on the stem as reported in greater detail below.

5 The urethral prosthesis 10 may be secured internally within the patient in a variety of suitable manners. In one embodiment, the urethral prosthesis 10 may be secured solely by tissue in-growth and/or tissue encapsulation. More specifically, portions of the first and second arms, 20, 30 and/or the stem 50 may be configured, for example, in a mesh configuration, to encourage tissue in-growth. Other portions, 10 including the junction 50 and/or portions of the first and second arms, may be configured in a manner that does not promote tissue in-growth, but allows for tissue encapsulation. During the weeks and months after implantation, portions of the urethral prosthesis 10 may become increasingly secured within the patient by tissue in-growth and/or tissue encapsulation. In this manner, portions that are in-grown with 15 tissue secure the urethral prosthesis 10, while portions that are encapsulated in tissue allow for some movement of portions of the urethral prosthesis 10 during use. Advantageously, this embodiment does not require (but may include) additional bone or soft tissue anchors to further secure the urethral prosthesis 10.

 In an alternate embodiment, the first and second arms may be secured to a soft 20 tissue region, such as at the obturator internus muscles or the gracilis muscles, with a combination of suitable soft tissue anchors and sutures. In an additional embodiment, a combination of tissue in-grown portions and suitable anchors may secure the urethral

prosthesis 10. In yet another embodiment, as in U.S. Published Patent Application No. 2002/10752, the first and second arms 20, 30 may be secured to a suitable portion of the patient's descending rami by a combination of anchors and sutures as reported.

In yet another embodiment, the urethral prosthesis 10 may be secured to the

5 pelvic origin of the gracilis tendon. For example, a tissue anchor may be implanted in the most proximal position to the inferior pubic ramus, where the gracilis tendon attaches to the bone. After the tissue anchor is inserted lateral to the tendon, a suture may be passed medial through the tendon to secure the prosthesis in place. This technique may be used on both sides of the body in opposition to secure the urethral

10 prosthesis 10. A variety of suitable tissue anchor designs and materials may be used for securing the urethral prosthesis 10 in this embodiment. In one embodiment, for example, a "T" shaped tissue anchor may be formed from titanium, plastic, or stainless steel and may be deployed with a suitable deployment tool and attached to a suture to secure the sling to the tissue.

15 In an alternate embodiment, one or more tissue anchors may be used to secure the urethral prosthesis to the obturator internus muscles. The anchor may be deployed through the obturator foramen and pass through the obturator externus muscle to the obturator internus muscle. The anchor may then be positioned in the anterior recess of the ischio-anal fossa, just anterior to the obturator internus muscle. At least one

20 anchor in each obturator internus muscle in opposition may be used to secure the sling in place. In a further embodiment, the urethral prosthesis 10 may be secured in this position by screwing a bone screw proximal to the gracilis tendon into the inferior

pubic ramus. Alternatively, the urethral prosthesis may be secured to the superior or inferior pubic rami with a bone screw.

Figures 4-9 illustrate several implantation orientations for the urethral prosthesis 10. Figures 4 and 5 illustrate an anterior pubic symphysis orientation, in which the first and second arms 20, 30 extend anterior to the pubic symphysis 150. This orientation may be beneficial because of the reduced chance of causing vascular, neural or visceral damage during implantation. In Figures 4a-b, the junction 40 is positioned to exert pressure on a proximal portion 185 of the patient's urethra 170. In Figures 5a-b, the junction 40 is positioned to exert pressure on a distal portion 195 of the patient's urethra 170.

Figures 6a-b illustrate a posterior pubic symphysis orientation, in which first and second arms 20, 30 extend posterior to the pubic symphysis 150. In this orientation, the junction 40 exerts pressure on the proximal portion 185 of the patient's urethra 170. Figures 7a-b, 8a-b and 9a-b illustrate various transobturator orientations, in which the first and second arms 29, 30 extend around the pubic rami.

After implantation, the prosthesis of the present invention exerts sufficient force upon a portion of the patient's urethra to prevent unintentional voiding of the patient's bladder. However, when a sufficient tension force is exerted on the stem 50, the junction 40 is lifted away from the urethra so that the pressure exerted on the urethra is reduced to a sufficient extent that the patient's bladder may be intentionally voided. Importantly, because the overcoat 45 of the junction 40 is encapsulated by (but not in-grown with) tissue, the junction 40 may be manipulated to a sufficient

degree to allow voiding, without adversely affecting the orientation or attachment of the urethral prosthesis 10. After voiding, the tension on the stem 50 may be released to allow the junction 40 to exert pressure on a portion of the urethra to prevent subsequent unintentional bladder voiding.

5 The urethral prosthesis of the present invention provides several benefits. First, the prosthesis may be implanted in a variety of orientations in a patient. Second, the prosthesis may include portions that encourage tissue in-growth and portions that allow for tissue encapsulation. This may provide for some degree of movement in desired areas, such as the junction, while still maintaining sufficient attachment in the
10 patient without requiring additional bone and/or soft tissue anchors. Third, the addition of the stem allows the patient's bladder to be voided by simply exerting tension on the stem. This may allow the prosthesis to exert a higher pressure on a portion of the patient's urethra than existing devices that do not allow for patient manipulation.

CLAIMS

What is claimed is:

1. A urethral prosthesis comprising:
 - a first arm and a second arm that are joined to define a junction adapted
 - 5 to exert pressure on a portion of a urethra when implanted; and
 - a stem joined to the junction that is adapted to decrease the pressure exerted on the portion of the urethra when a tension force is exerted on the stem.
2. The urethral prosthesis of claim 1 wherein the first and second arms
10 comprise a flexible material.
3. The urethral prosthesis of claim 1 wherein the first and second arms comprise a stretchable material.
- 15 4. The urethral prosthesis of claim 1 wherein the first and second arms comprise a polymeric material.
5. The urethral prosthesis of claim 1 wherein the first and second arms comprise polyester, polypropylene, nylon, polyethylene terephthalate,
20 polytetrafluoroethylene, expanded polytetrafluoroethylene, polyvinylidene fluoride, polyamide, silk or combinations or derivatives thereof.

6. The urethral prosthesis of claim 1 wherein the first and second arms comprise a mesh material.

7. The urethral prosthesis of claim 1 wherein the first and second arms
5 comprise a coating.

8. The urethral prosthesis of claim 7 wherein the coating comprises an elastomer, silicone, polypropylene, polyester, polyurethane, polyvinyl chloride, polyamide or derivatives or combinations thereof.

10

9. The urethral prosthesis of claim 1 wherein the first and second arms are coated with a bioactive material.

15

10. The urethral prosthesis of claim 1 wherein the first and second arms comprise a silicone material.

11. The urethral prosthesis of claim 1 further comprising a tube encompassing a portion of the first arm.

20

12. The urethral prosthesis of claim 1 further comprising a tube encompassing a portion of the second arm.

13. The urethral prosthesis of claim 1 wherein the first and second arms are integrally joined.

14. The urethral prosthesis of claim 1 wherein the first and second arms are
5 formed from a single piece of material.

15. The urethral prosthesis of claim 1 wherein the first arm and second arm
are joined at respective proximal ends to define the junction.

10 16. The urethral prosthesis of claim 1 wherein the first and second arms
have a width between about 0.5 and about 5 cm.

17. The urethral prosthesis of claim 1 wherein the first and second arms
have a width between about 0.5 and about 2.5 cm.

15

18. The urethral prosthesis of claim 1 wherein the first and second arms
have a length of between about 5 and about 30 cm.

19. The urethral prosthesis of claim 1 wherein the stem comprises a
20 flexible material.

20. The urethral prosthesis of claim 1 wherein the stem comprises a stretchable material.

21. The urethral prosthesis of claim 1 wherein the stem comprises a
5 polymeric material.

22. The urethral prosthesis of claim 1 wherein the stem comprises
polyester, polypropylene, polyethylene terephthalate, polytetrafluoroethylene, expanded
polytetrafluoroethylene, polyvinylidene fluoride, polyamide, silk or combinations or
10 derivatives thereof.

23. The urethral prosthesis of claim 1 wherein the stem comprises a mesh
material.

15 24. The urethral prosthesis of claim 1 wherein the stem further comprises a
coating.

25. The urethral prosthesis of claim 24 wherein the coating comprises an
elastomer, silicone, polypropylene, polyester, polyurethane, polyvinyl chloride,
20 polyamide or derivatives or combinations thereof.

26. The urethral prosthesis of claim 1 wherein the stem is coated with a bioactive material.

27. The urethral prosthesis of claim 1 wherein the junction comprises an overcoat covering portions of the first and second arms.

28. The urethral prosthesis of claim 27 wherein the overcoat extends between about 1 and about 5 cm along a proximal end of each of the first and second arms.

10

29. The urethral prosthesis of claim 27 wherein the overcoat further covers a portion of the stem.

30. The urethral prosthesis of claim 29 wherein the overcoat extends between about 0.25 and about 3 cm along a proximal end of the stem.

31. The urethral prosthesis of claim 27 wherein the overcoat comprises an elastomer, silicone, polypropylene, polyester, polyurethane, polyvinyl chloride, polyamide or derivatives or combinations thereof.

20

32. The urethral prosthesis of claim 1 further comprising a tensioning member associated with the first and second arms.

33. The urethral prosthesis of claim 32 wherein the tensioning member is further associated with the stem.

5 34. The urethral prosthesis of claim 32 wherein the tensioning member comprises at least one filament.

10 35. The urethral prosthesis of claim 34 wherein the tensioning member comprises a first filament secured to the first arm and a second filament secured to the second arm.

36. The urethral prosthesis of claim 35 wherein the tensioning member comprises a third filament secured to the stem.

15 37. The urethral prosthesis of claim 34 wherein each of the at least one filament is secured to a proximal end of the first arm, second arm or stem.

38. The urethral prosthesis of claim 34 wherein each of the at least one filament is secured to a distal end of the first arm, second arm or stem.

20

39. The urethral prosthesis of claim 34 wherein the at least one filament is secured at the junction.

40. The urethral prosthesis of claim 1 further comprising a dilator attached to a distal end of each of the first and second arms.

5 41. The urethral prosthesis of claim 40 further comprising a dilator attached to a distal end of the stem.

42. A method for treating urinary incontinence comprising:
implanting into a patient a urethral prosthesis comprising
10 a first arm and a second arm that are joined to define a junction
that exerts pressure on a portion of a patient's urethra, and a stem joined to the
junction;
exerting tension on the stem to decrease the pressure exerted on the
portion of the urethra;
15 voiding the patient's bladder; and
releasing the tension exerted on the stem such that the junction exerts a
pressure on the portion of the urethra.

43. The method of claim 42 wherein the junction exerts a pressure of
20 between about 50 and about 300 cm H₂O on the portion of the patient's urethra.

44. The method of claim 42 wherein the junction exerts a pressure of between about 50 and about 140 cm H₂O on the portion of the patient's urethra.

45. The method of claim 42 wherein the junction exerts a pressure of
5 between about 50 and about 70 cm H₂O on the portion of the patient's urethra.

46. The method of claim 42 wherein the first and second arms are oriented anterior to the pubic symphysis.

10 47. The method of claim 42 wherein the first and second arms are oriented posterior to the pubic symphysis.

48. The method of claim 42 wherein the first and second arms are oriented transobturator to the pubic symphysis.

15

49. The method of claim 42 wherein the stem is implanted in a scrotum.

50. The method of claim 42 wherein the urethral prosthesis is secured to tissue in a patient.

20

51. The method of claim 50 wherein the urethral prosthesis is secured by tissue in-growth of portions of the first arm, second arm or stem.

52. The method of claim 50 wherein the urethral prosthesis is secured by at least one tissue anchor.

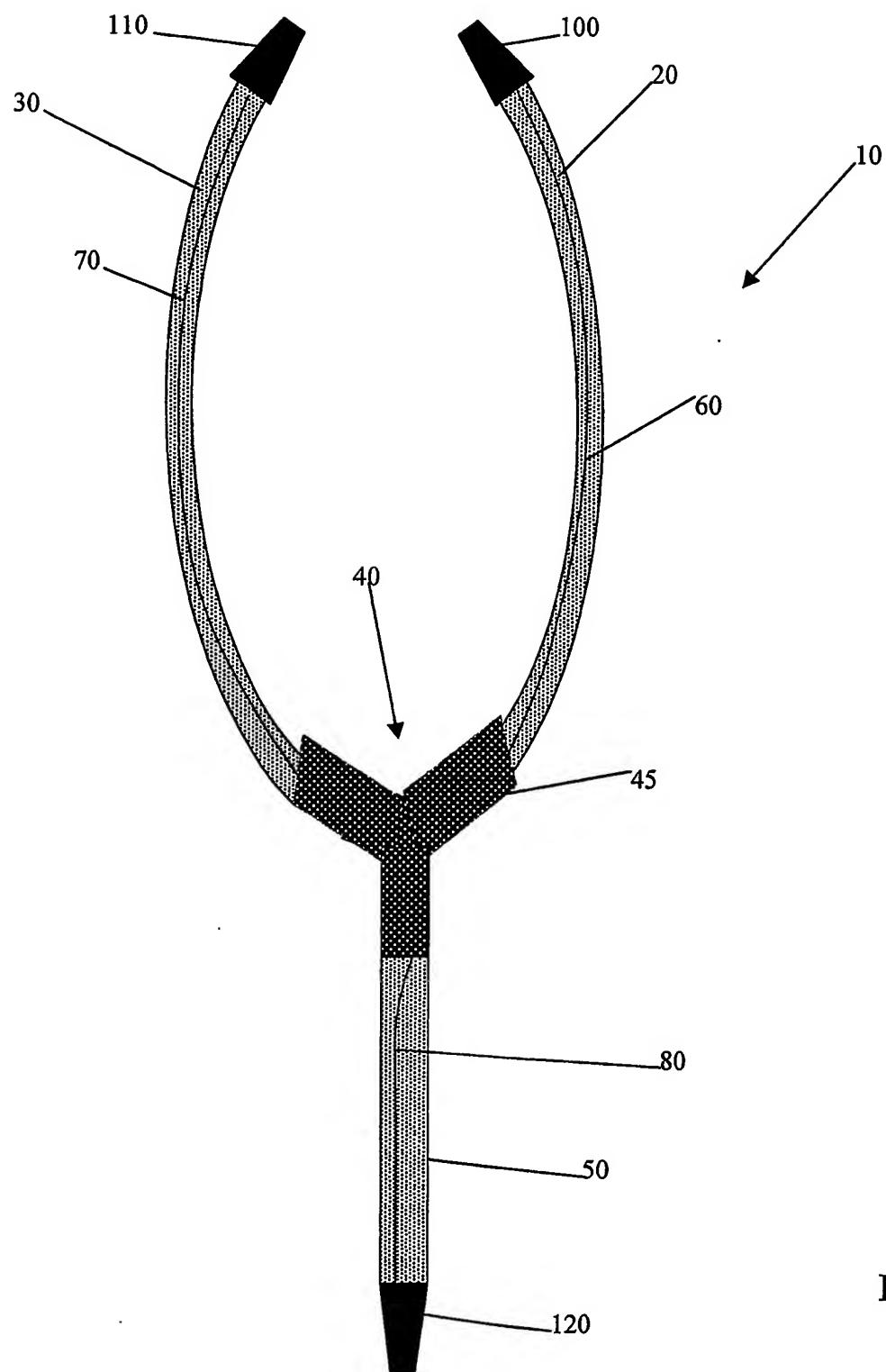
5 53. The method of claim 50 wherein the urethral prosthesis is secured by at least one soft tissue anchor.

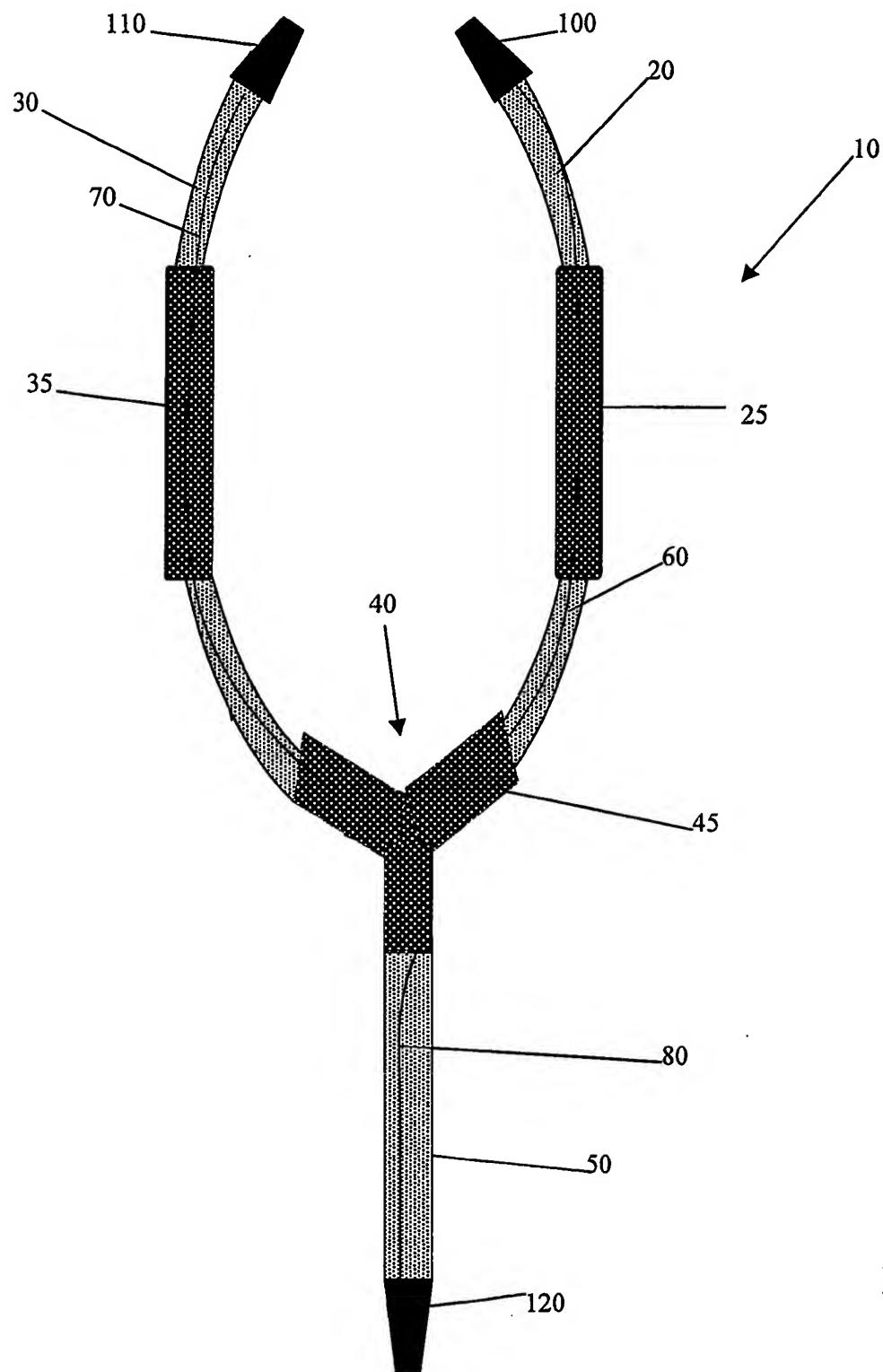
54. The method of claim 50 wherein the urethral prosthesis is secured by at least one bone anchor.

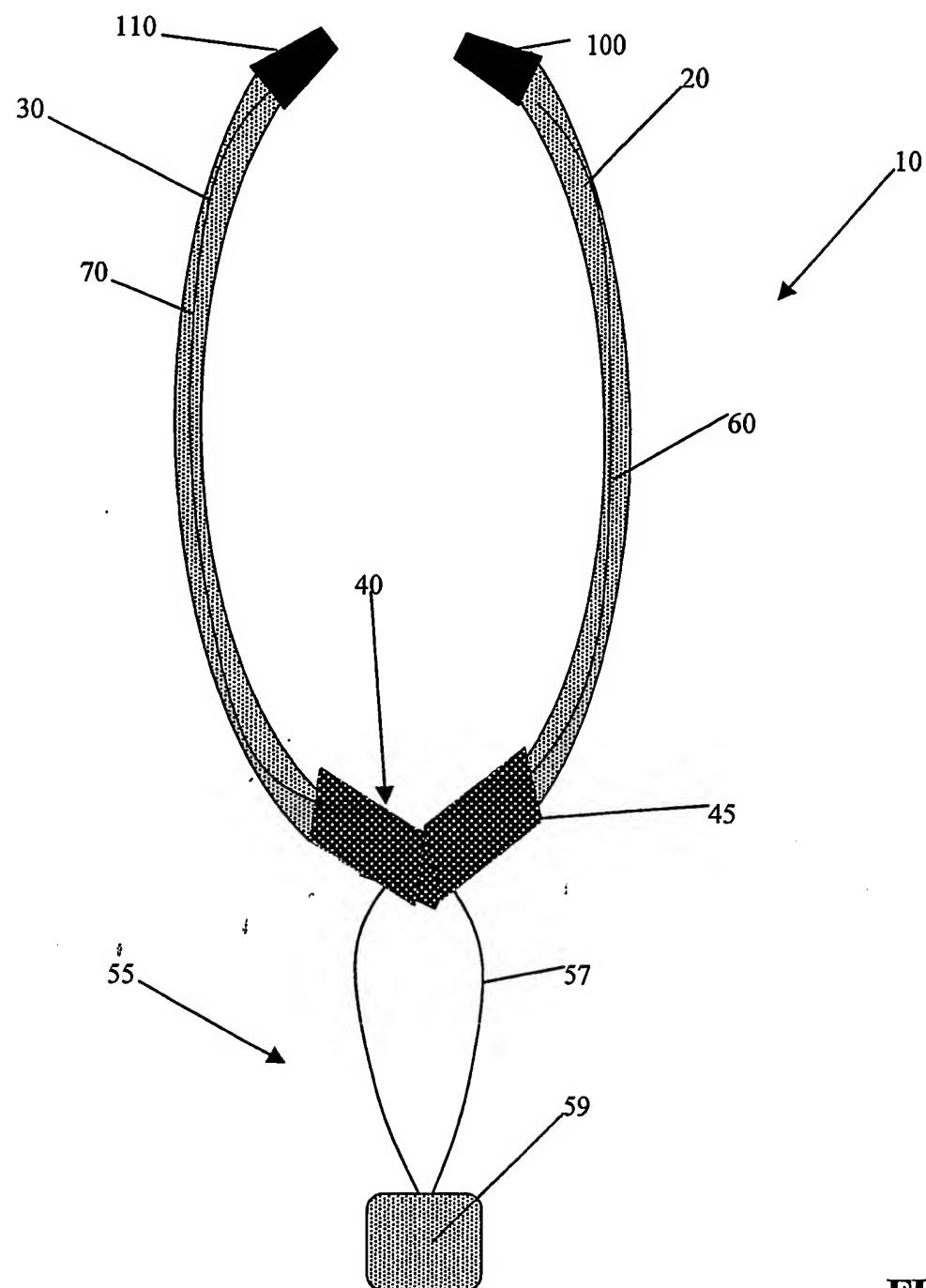
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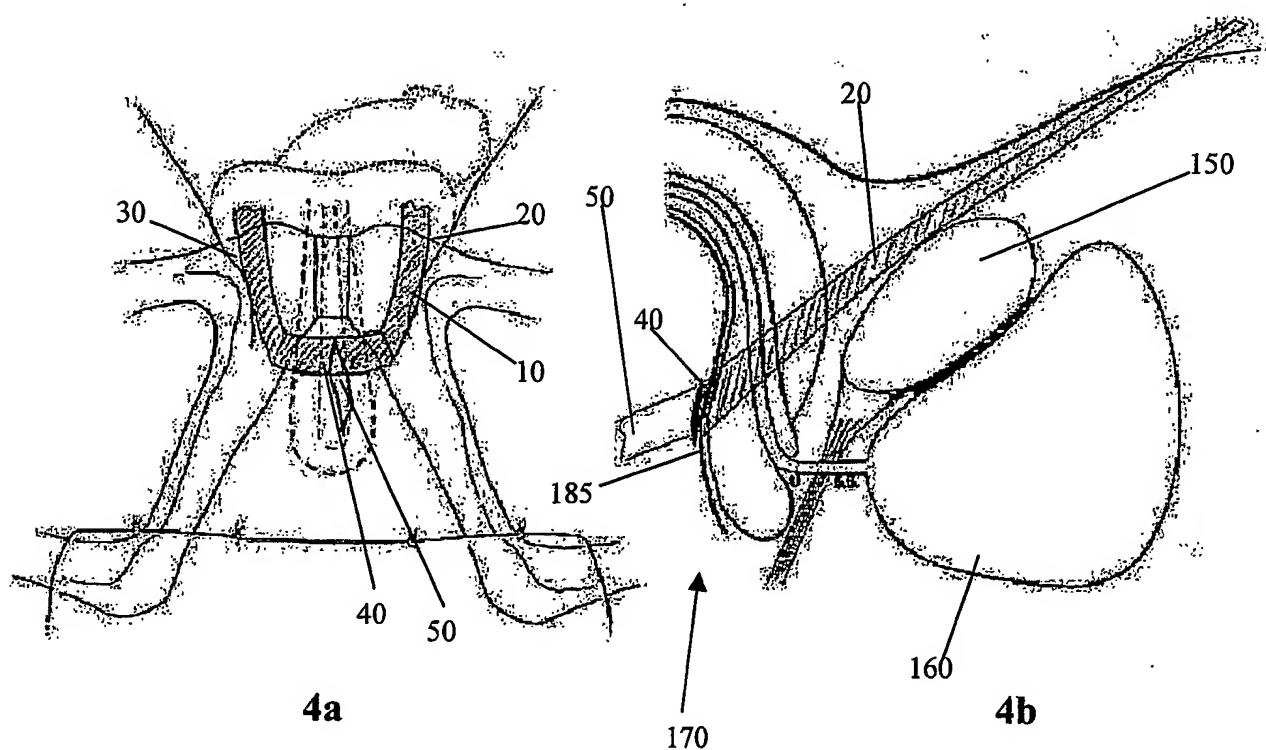
55. The method of claim 50 wherein the urethral prosthesis is secured by tissue in-growth and at least one tissue anchor.

56. The method of claim 50 wherein the first and second arms are secured
15 by at least one suture.

**FIG. 1**

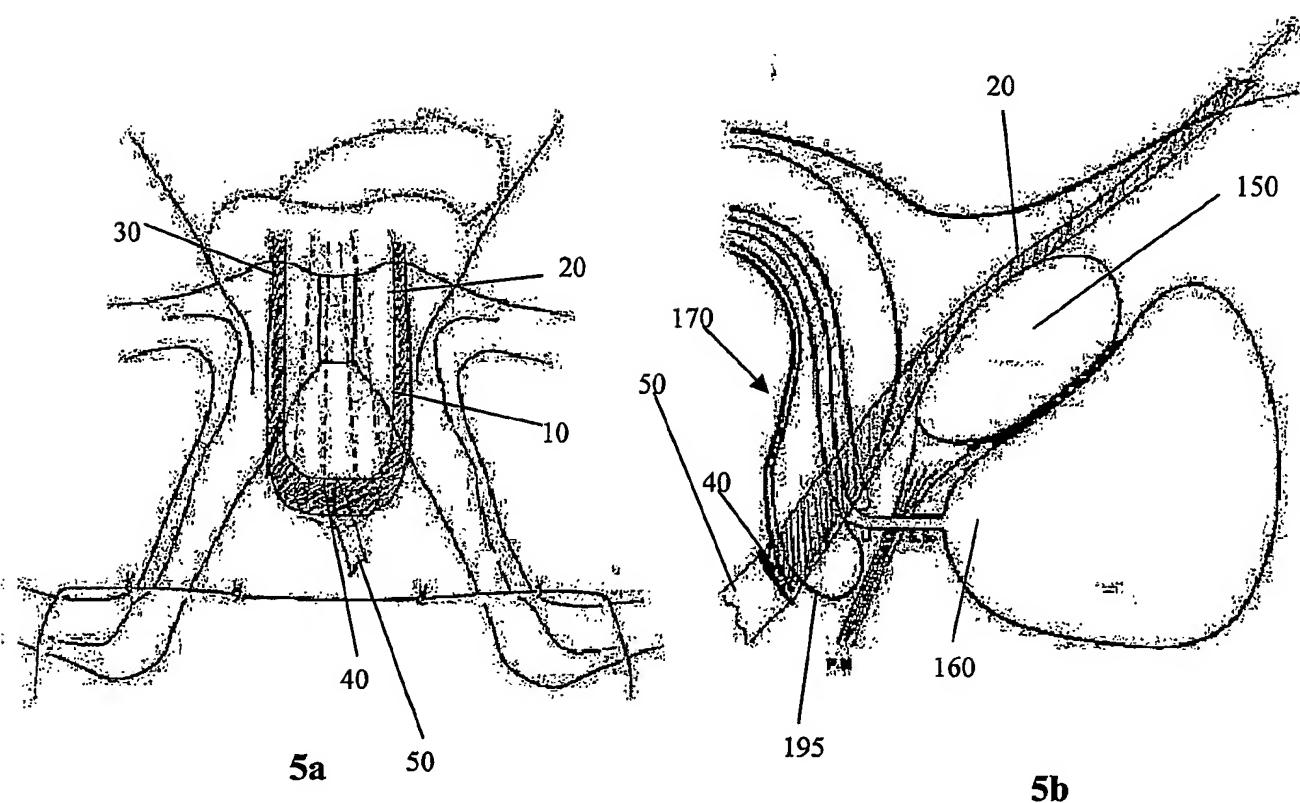
**FIG. 2**

**FIG. 3**



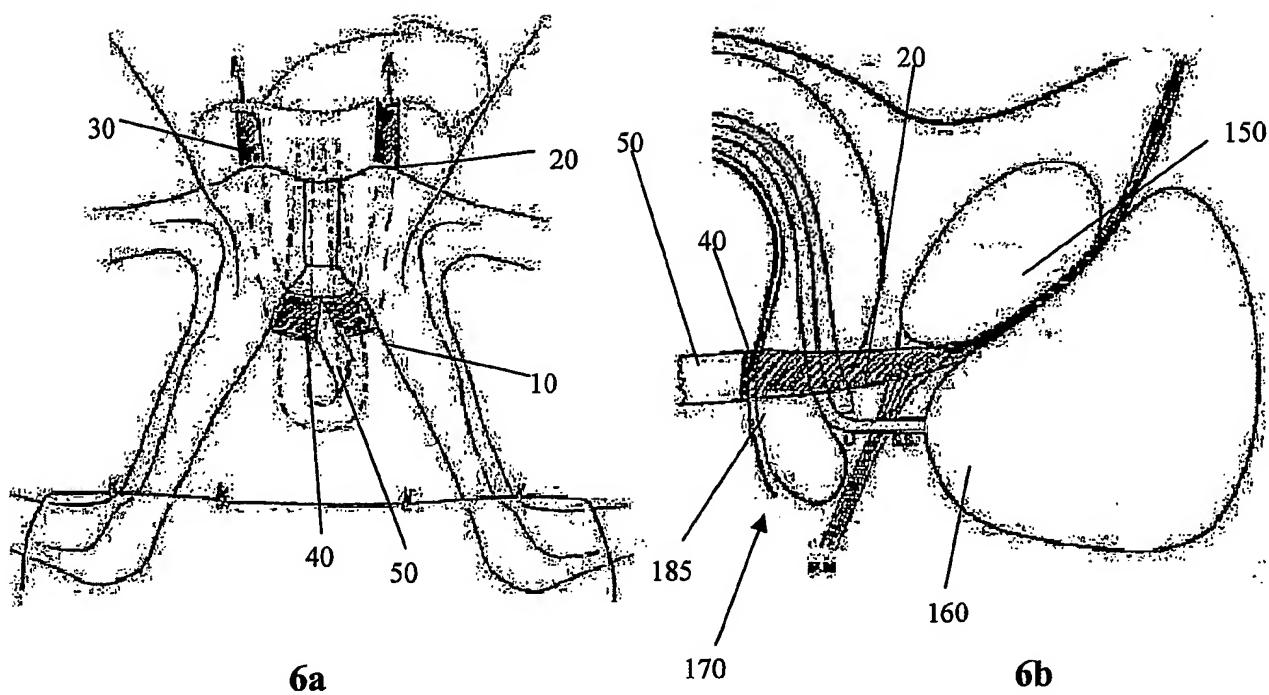
FIGS. 4a and 4b

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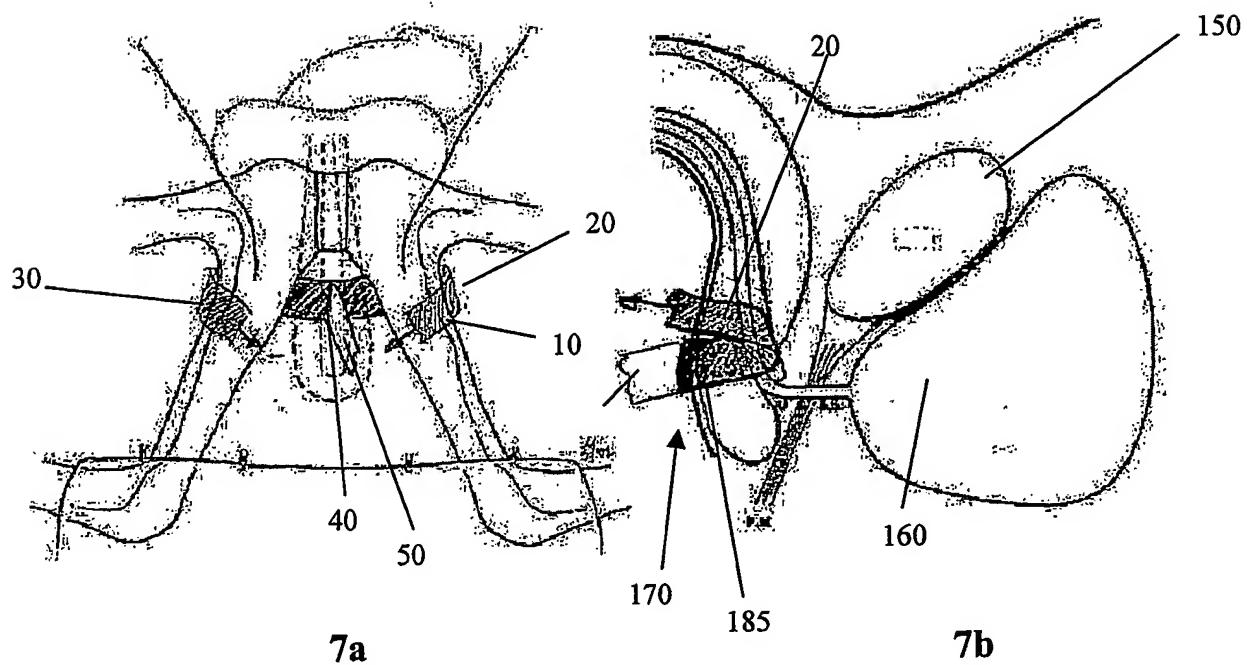


FIGS. 5a and 5b

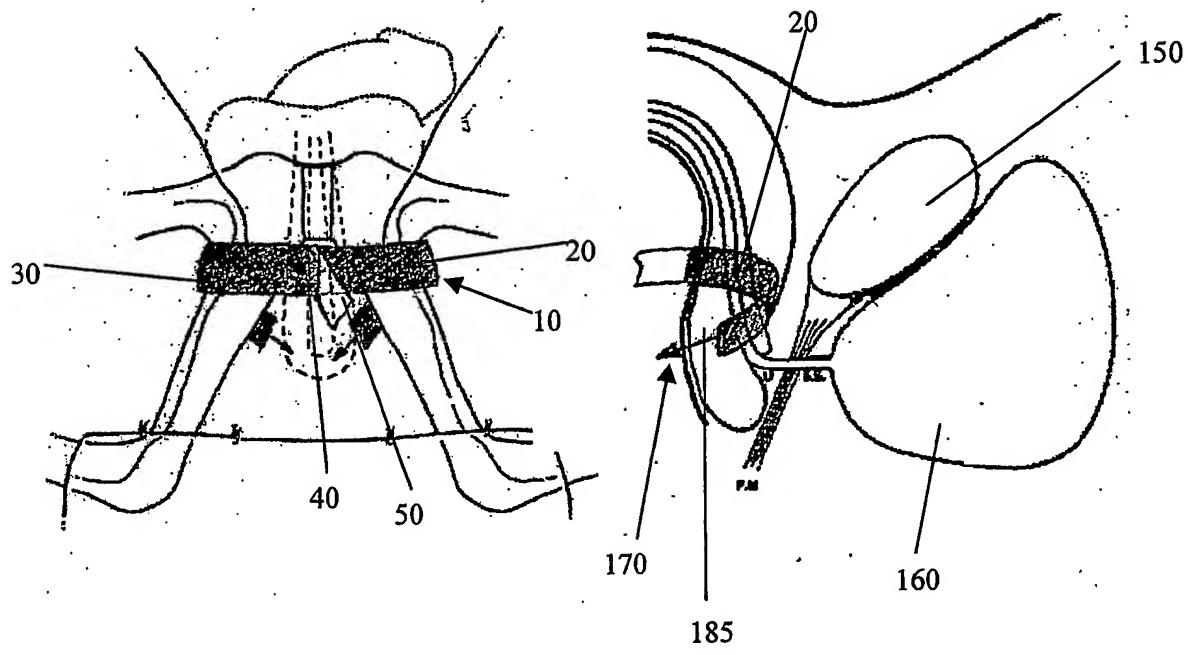
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FIGS. 6a and 6b



FIGS. 7a and 7b



8a

8b

FIGS. 8a and 8b

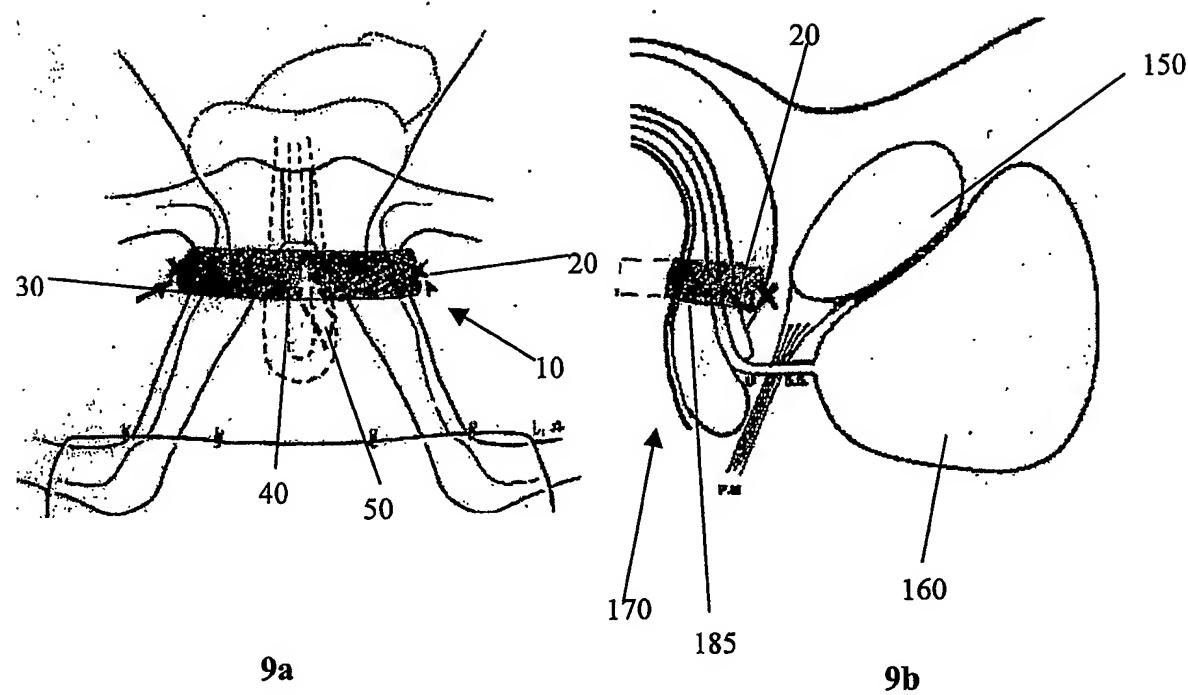


FIG. 9a and 9b

IN THE UNITES STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

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Plaintiffs)
) Civil Action No.05-CV-5626
v.)
)
)
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)
Defendant)
)
)

**DECLARATION OF MICHAEL J. MARCIN IN
SUPPORT OF WINDBRELLA'S OPPOSITION TO
TAYLOR MADE'S MOTION FOR SUMMARY JUDGMENT**

I, Michael J. Marcin, declare as follows:

1. I have personal knowledge of the facts stated herein and, if called as a witness, could and would competently testify thereto.
2. I am a partner at the law firm of Fay, Kaplun & Marcin, LLP, counsel for Windbrella Products Corp. ("Windbrella").
3. I submit this declaration in support of Windbrella's Opposition to Taylor Made's Motion for Summary Judgment.
4. A true and correct copy of the cover, title page, copyright page and page 1958 including the term "ring" from Webster's Third New International Dictionary is attached hereto as Exhibit M.

5. A true and correct copy of U.S. Patent No. 5,398,709 to Lee (the "Lee patent") is attached hereto as Exhibit N.
6. A true and correct copy of the assignment information for U.S. Patent 6,422,251 downloaded from the United States Patent and Trademark Office website, www.uspto.gov, is attached hereto as Exhibit O.

I hereby declare that all statements made herein of my own knowledge are true, and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: New York, NY
December 30, 2005

Respectfully submitted,

FAY KAPLUN & MARCIN, LLP

/s/ Michael J. Marcin
Michael J. Marcin (MM 7394)

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WINDBRELLA PRODUCTS CORP.

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